

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

vs.

Robert J. Marzola

Case No. 2012 DEC-5 P 3:31
ELH-12-0607

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DEC 05 2012

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

ORDER OF DETENTION (18 U.S.C. § 3142) BY

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I have concluded that the following facts require the detention of the defendant pending the trial of this case.

PART I: FINDINGS OF FACT

☒ (1) This is a case in which the [government may properly seek detention] or [the court may consider ordering detention sua sponte].

☒ (2) The defendant is charged under: 18 U.S.C. § 2251(a) - Production of Child Pornography

☒ (3) The maximum term of imprisonment, if convicted, is: Life

☒ (4) Based on the government's [proffer] and indictment ~~evidence~~ there is probable cause to believe that the defendant committed the offense(s) charged.

☐ The government is entitled to a presumption under § 3142 (e) [describe in Part II].

☐ The defendant has failed to rebut this presumption [as to flight risk] or [as to danger].

☐ (5) I find, by a preponderance of the evidence, from the information produced at the hearing that there is a serious risk that the defendant will not appear.

☒ (6) I find, by clear and convincing evidence, from the information produced at the hearing that the defendant poses a risk to the safety of other persons and the community.

☒ (7) I find by clear and convincing evidence that there is no condition or combination of conditions which will reasonably assure ~~the defendant's presence at trial or as otherwise required~~ [community safety].

PART II: WRITTEN STATEMENT OF ADDITIONAL REASONS FOR DETENTION

① Nature of offense - allegations of actual sexual abuse of minors and production and distribution of child pornography
② Qst. of evidence is substantial
③ Rec of PS

The defendant is committed to the custody of the Attorney General or his/her designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the U.S. Marshal shall deliver the defendant for the purpose of an appearance in connection with a court proceeding.

December 5, 2012

Date

Beth P. Gesner
Beth P. Gesner

United States Magistrate Judge